

REMARKS/ARGUMENTS

In the Office action dated April 5, 2007, the Examiner maintained the rejection of claims 1-30 under 35 U.S.C. §103(a) as allegedly obvious over Moaddeb, et al. (U.S. Patent No. 6,405,078) in view of Skalsky, et al. (U.S. Patent No. 4,844,099). In maintaining the rejection, the Examiner asserts that Skalsky discloses a tip electrode having a non-conductive porous material (60) and a conductive porous coating (66), and that "[i]t can be fairly asserted that the non-conductive porous material is configured to avoid 'substantial' contact with tissue." Office action, page 10. Applicant respectfully traverses this argument.

Throughout the disclosure of Skalsky, the need for secure and reliable attachment of the electrode to the heart wall is highlighted. See, e.g. column 2, lines 5-33. To accomplish this, the porous characteristics of the Skalsky electrode are used to facilitate attachment to the cardiac tissue by promoting tissue ingrowth. See column 2, line 54 to column 3, line 8. Accordingly, the porous substrate (60) in Skalsky is specifically adapted to contact tissue, as without such contact of the porous substrate with tissue, the desired attachment to tissue could not occur. Moreover, Skalsky highlights the need for maximum contact of the porous substrate with tissue. Although the Skalsky electrode includes electrode leaves (66) made of a conductive material, the surface area of these leaves is minimized, with the remaining surface area being attributable to the porous substrate (60). See Column 6, lines 29-41 (noting that although the surface area of the leaves is minimized, a "relatively large total surface area is in direct contact with the heart tissue").

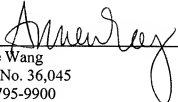
In addition to failing to disclose that the non-conductive porous material is configured to avoid substantial contact with the tissue, Skalsky also fails to disclose a thin metal coating adapted to *cover* the non-conductive porous material, as recited in independent claims 1 and 15, a conductive porous coating generally *encapsulating* the non-conductive porous material, as recited in independent claim 29, or an *inner* non-conductive porous material and an *outer* conductive porous material, as recited in independent claim 30. Rather, Skalsky discloses electrode leaves (66) disposed in grooves (64) in the porous substrate (60) such that the leaves

Appln No. 10/820,480
Amdt date August 6, 2007
Reply to Office action of April 5, 2007

(66) are substantially flush with the porous substrate (60). See column 5, lines 43-47. As the leaves (66) and the porous substrate (60) are flush, the leaves are not adapted to *cover* the porous substrate, as recited in independent claims 1 and 15, do not generally *encapsulate* the porous substrate, as recited in independent claim 29, and do not form an *inner* non-conductive porous material and an *outer* conductive porous material, as recited in independent claim 30. As such, independent claims 1, 15, 29 and 30, and all claims dependent therefrom, including claims 2-14 and 16-28, are allowable over Moaddeb and Skalsky.

In view of the above amendments and remarks, Applicant submits that all of pending claims 1-30 are in condition for allowance. Applicant therefore respectfully requests a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Anne Wang
Reg. No. 36,045
626/795-9900

LES/lcs

LES PAS749121.1-*-08/06/07 1:15 PM